

JUL-19-01 15:51 From:WOODCOCK WASHBUR.

+12155683439

T-254 P.02/10 Job-772

DOCKET NO. MQPP-0035

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Application of:

Michael D. Schmal, Ernest E. Bachert, John A.  
Menges and Robert R. Witt

Group Art Unit: Not Assigned

Examiner: Not Assigned

For: THERMOPLASTIC ELASTOMER  
FILMS

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

☒ Utility Patent ☐ Design Patent

is sought on the invention, whose title appears above, the specification of which:

- ☒ is attached hereto.
- ☐ was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_
- ☐ said application having been amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below

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PATENT

any foreign application for patent 1 inventor's certificate having a filing date before that of any application on which priority is claimed:

Priority Claimed (If X'd)	Country	Serial Number	Date Filed
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Date Filed	Patented/Pending/Abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Serial Number	Date Filed
<u>60/274,573</u>	<u>March 26, 2001</u>

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PATENT


I hereby appoint the following persons of the firm of **WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP**, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania 19103 as attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Dale M. Heist Reg. No. 28,425  
Michael K. Jones Reg. No. 41,100  
Stephen C. Timmins Reg. No. P-48,481

Address all telephone calls and correspondence to:

Stephen C. Timmins  
**WOODCOCK WASHBURN KURTZ  
MACKIEWICZ & NORRIS LLP**  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone No.: (215) 568-3100  
Facsimile No.: (215) 568-3439

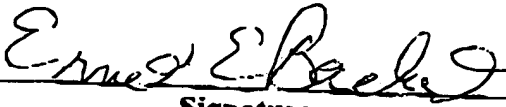
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

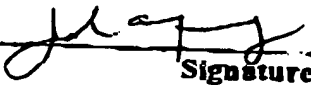
<b>Name:</b> Michael D. Schmal	 <b>Signature</b>
<b>Mailing Address:</b> 627 Lee Court Orwigsburg, Pennsylvania 17961	<b>Date of Signature:</b> <u>7-23-01</u>
<b>City/State of Actual Residence:</b> Orwigsburg, Pennsylvania 17961	<b>Citizenship:</b> <u>United States of America</u>


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PATENT

Name: Ernest E. Bachert	 Signature Date of Signature: <u>7-23-01</u> Citizenship: <u>United States of America</u>
Mailing Address: 104 Station Road Orwigsburg, Pennsylvania 17961	
City/State of Actual Residence: Orwigsburg, Pennsylvania 17961	

Name: John A. Menges	 Signature Date of Signature: <u>7/23/01</u> Citizenship: <u>United States of America</u>
Mailing Address: RR #2, Box 105 Auburn, Pennsylvania 17922	
City/State of Actual Residence: Auburn, Pennsylvania 17922	

Name: Robert R. Witt	 Signature Date of Signature: <u>7-30-01</u> Citizenship: <u>United States of America</u>
Mailing Address: 9303 Conestoga Trail Marengo, Illinois 60152	
City/State of Actual Residence: Marengo, Illinois 60152	



DMH/MKS/SC.T.  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 09, 2001

PTAS

WOODCOCK WASHBURN KURTZ ET AL  
STEPHEN C. TIMMINS, ESQ.  
ONE LIBERTY PLACE - 46TH FLOOR  
PHILADELPHIA, PA 19103-7301



\*101803780A\*

RECEIVED

OCT 13 2001

Woodcock Washburn Kurtz  
Mackiewicz & Norris LLP

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

RECEIVED

OCT 15 2001

DOCKET DEPT.  
WWKMN

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/30/2001

REEL/FRAME: 012040/0466  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SCHMAL, MICHAEL D.

DOC DATE: 07/23/2001

ASSIGNOR:

BACHERT, ERNEST E.

DOC DATE: 07/23/2001

ASSIGNOR:

MENGES, JOHN A.

DOC DATE: 07/23/2001

ASSIGNOR:

WITT, ROBERT R.

DOC DATE: 07/30/2001

ASSIGNEE:

M&Q PLASTIC PRODUCTS, INC.  
1364 WELSH ROAD, SUITE A1  
NORTH WALES, PENNSYLVANIA 15454

SERIAL NUMBER: 09918042

FILING DATE: 07/30/2001

PATENT NUMBER:

ISSUE DATE:

012040/0466 PAGE 2

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

CC

08-08-2001



To The Honorable Commissioner of Patents and T

Final documents or copy thereof.

Name of conveying party(ies):

07/30/01

101803780

receiving party(ies):

Michael D. Schmal

07/23/01

First Assignor

Date of Execution

Ernest E. Bachert

07/23/01

Second Assignor

Date of Execution

John A. Menges

07/23/01

Third Assignor

Date of Execution

Robert R. Witt

07/30/01

Fourth Assignor

Date of Execution

Additional name(s) of conveying party(ies) attached? ( ) YES (X) NO

Name: M&amp;Q Plastic Products, Inc.

Street Address: 1364 Welsh Road, Suite A1

City: North Wales

State: Pennsylvania

ZIP 15454

Additional name(s) &amp; address attached? ( ) YES (X) NO

3. Nature of Conveyance (check only one):

(X) New Assignment

( ) Merger

( ) License Agreement

( ) Security Agreement

( ) Change of Name

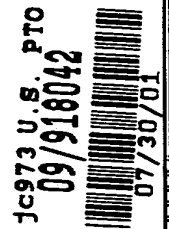
( ) Other:

( ) Cross-reference of Assignment filed in United States

Application No. @@@/@@@, @@@, recorded on

@@@/@@@/@@@ at Reel No. @@@@ and Frame No.

@@@@@



Identification of Application number(s), patent number(s) OR date of execution of application to which assignment refers:

Application Nos.:

10/9/8042

Patent Nos.:

Date application was signed by the first named executing inventor

July 23, 2001

(Fill-in this date only if assignment is filed together with a new application)

Name and address of party to whom correspondence concerning documents should be mailed:

Name: Stephen C. Timmins, Esq.  
WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP  
One Liberty Place - 46th Floor  
Philadelphia, Pennsylvania 19103-7301  
15-568-3100

6. Total number of applications and patents involved: One  
(1)

7. Total fee (37 CFR 3.41):.....\$40.00

(X) Enclosed

( ) Authorized to be charged to Deposit Account  
Number 23-3050

8. Please charge any deficiency or credit any overpayment to Deposit Account Number 23-3050

DO NOT USE THIS SPACE

Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stephen C. Timmins/ P-48,481

Name of Person Signing/Reg. No.

Signature

July 30, 2001

Date

Total number of pages including cover sheet, assignment document and additional pages attached thereto: 6

Final documents to be recorded with required cover sheet information to:

07/2001 LMJELLER 00000167 09918042

FC:581

40.00 OP

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

DOCKET NO.: MQPP-0035

PATENT  
Joint Inventors  
(New Application)

ASSIGNMENT

WHEREAS, we Michael D. Schmal, Ernest E. Bachert, John A. Menges and Robert R. Witt, hereinafter referred to as the assignors, residing respectively at 627 Lee Court, Orwigsburg, Pennsylvania 17961, 104 Station Road, Orwigsburg, Pennsylvania 17961, RR #2, Box 105, Auburn, Pennsylvania 17922 and 9303 Conestoga Trail, Marengo, Illinois 60152 are the joint inventors of certain inventions or improvements for which we have made application for Letters Patent to the United States, identified as Case No. MQPP-0035, entitled THERMOPLASTAIC ELASTOMER FILMS; and

WHEREAS, M&Q Plastic Products, Inc. hereinafter referred to as the assignee, of 1364 Welsh Road, Suite A1, North Wales, Pennsylvania 15454, a corporation of New Jersey, is desirous of acquiring the entire right, title and interest in and to the said inventions or improvements and in and to the said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in any and all countries:

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to each of us in hand paid by said assignee, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said assignors, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over to said assignee, the entire right, title and interest in and to said inventions or improvements and said application and any and all continuations, divisions and renewals of and substitutes for said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in the United States and any and all other countries, and any reissue or reissues or extension or extensions of said Letters Patent, and assign to and authorize said assignee, to file in our names applications for Letters Patent in all countries, the same to be held and enjoyed by said assignee, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said Letters Patent respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by us had this assignment, sale and transfer not been made.

AND we hereby covenant that we have full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith, and we further covenant and agree that we will each time request is made and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said inventions or improvements, said application and said Letters Patent to said assignee, its successors, assigns, nominees, or legal representatives, and each of us agrees to communicate to said assignee or to its nominee all known facts respecting said inventions or improvements, said application and said Letters Patent, to testify in any legal proceedings, to sign all lawful papers, to execute all disclaimers and divisional, continuing, reissue and foreign applications, to make all rightful oaths, and generally to do everything possible to aid said



DOCKET NO.: MQPP-0035

**PATENT**  
**Joint Inventors**

assignee, its successors, assigns, nominees and legal representatives to obtain and enforce for its or their own benefit proper patent protection for said inventions or improvements in any and all countries.

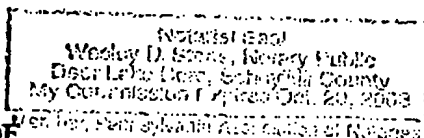
AND we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue to said assignee, as assignee of the entire right, title and interest, any and all Letters Patent for said inventions or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

AND this Assignment may be executed in multiple counterparts, each of which shall be deemed to be an original of this Assignment. Additionally, we hereby authorize our attorneys to collect the signature pages of each executed counterpart and to attach those signature pages to a single copy of this instrument, which single copy and attached signature pages together shall constitute an original of this Assignment.

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

7-23-01  
Date

Michael D. Schmal (L.S.)  
Michael D. Schmal



STATE OF \_\_\_\_\_ : SS  
COUNTY OF \_\_\_\_\_ :

On this 23<sup>rd</sup> day of July, year of 01, before me personally came the above named Michael D. Schmal to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of that person's own free will for the use and purposes therein set forth.

Wesley D. Stone  
Notary Public

DOCKET NO.: MQPP-0035

PATENT  
Joint Inventors

7-23-01  
Date

Ernest E. Bachert (L.S.)  
Ernest E. Bachert

Notarial Seal  
Wesley D. Stone, Notary Public  
Deer Lake Poro, Schuylkill County  
My Commission Expires Oct. 20, 2003

STATE OF Pennsylvania : SS

COUNTY OF \_\_\_\_\_ :

On this 23<sup>rd</sup> day of July, year of 01, before me personally came the above named Ernest E. Bachert to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of that person's own free will for the use and purposes therein set forth.

Wesley D. Stone  
Notary Public

JUL-19-01 15:53 From: WOODCOCK BURN

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T-254 P.09/10 Job-772

DOCKET NO.: MQPP-0035

PATENT  
Joint Inventors

7/23/01  
Date John A. Menges (L.S.)

Notarial Seal  
Wesley D. Stone, Notary Public  
Deer Lake Boro, Schuylkill County  
My Commission Expires Oct. 20, 2008  
Member, Pennsylvania Association of Notaries

STATE OF \_\_\_\_\_ :  
COUNTY OF \_\_\_\_\_ : SS

On this 23rd day of July, year of 01, before me personally came the above named John A. Menges to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of that person's own free will for the use and purposes therein set forth.

Wesley D. Stone  
Notary Public

JUL-19-01 15:53 From:WOODCOCK HURN

+12155683

T-254 P.10/10 Job-772

DOCKET NO.: MQPP-0035

PATENT  
Joint Inventors7-30-01  
DateRobert R. Witt (L.S.)  
Robert R. WittSTATE OF Illinois :  
COUNTY OF McHenry : SS

On this 30th day of July, year of 2001 before me personally came the above named Robert R. Witt to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of that person's own free will for the use and purposes therein set forth.

Lana T. Vasquez  
Notary Public